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Attorneys for Defendants  
UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF KAITLYN MURPHY  
IN SUPPORT OF DEFENDANTS UBER  
TECHNOLOGIES, INC.'S AND  
OTTOMOTTO LLC'S NOTICE OF  
JOINDER IN OPPOSITION TO  
PLAINTIFF WAYMO LLC'S MOTION  
FOR SANCTIONS**

Judge: Hon. William H. Alsup  
Trial Date: October 10, 2017

1 I, Kaitlyn Murphy, declare as follows:

2 1. I am an associate at the law firm Boies Schiller Flexner LLP representing Defendants  
3 Uber Technologies Inc. and Ottomotto LLC (collectively, "Uber") in this matter. I am a member in  
4 good standing of the Bar of California. I make this declaration based on personal knowledge and on  
5 information and belief in support of Uber's Notice of Joinder in Defendant Otto Trucking LLC's  
6 Opposition to Plaintiff Waymo LLC's Motion for Sanctions. If called as a witness, I could and would  
7 competently testify to the matters set forth herein.

8 2. Special Master John Cooper facilitated a meet and confer on the morning of Friday  
9 September 29, 2017. During that call, counsel for Waymo and Otto Trucking met and conferred with  
10 each other and the Special Master about the confidentiality of the domain name of Waymo's SVN server  
11 and Otto Trucking's public filings of the name. While counsel for Uber, including myself, attended the  
12 meet and confer to discuss other issues on the agenda, Waymo never claimed Uber had done anything  
13 improper with respect to the SVN domain name, and Uber's counsel did not participate in the discussion  
14 between Waymo, Otto Trucking, and the Special Master about the issue or the briefing schedule for  
15 Waymo's motion.

16 3. Waymo did not inform Uber that it would be move for sanctions against Uber or identify  
17 the grounds on which such relief would be sought against Uber prior to filing its motion on October 1,  
18 2017.

19 4. Waymo and Uber met and conferred the next day on October 2, 2017 about Waymo's  
20 improvident filing as it pertained to Uber. The Special Master stated during that call that he, like me and  
21 other counsel for Uber, left the September 29 meet and confer with the understanding that the dispute  
22 over the public filing of the SVN domain name and Waymo's anticipated motion was between Waymo  
23 and Otto Trucking only. The Special Master then granted Uber leave to file a brief in response to  
24 Waymo's motion for sanctions by Wednesday at 3:00 p.m. and instructed Waymo to re-notice its motion  
25 and inform the Court that there had been confusion about whether Waymo was going to seek sanctions  
26 against Uber.

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1 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
2 and correct. Executed this 4th day of October, 2017, in Oakland, California.

3  
4 /s/ Kaitlyn Murphy  
Kaitlyn Murphy  
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7 **ATTESTATION OF E-FILED SIGNATURE**

8 I, Karen L. Dunn, am the ECF User whose ID and password are being used to file this  
9 Declaration. In compliance with General Order 45, X.B., I hereby attest that Kaitlyn Murphy has  
10 concurred in this filing.

11  
12 /s/ Karen L. Dunn  
Karen L. Dunn  
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